

CPS-199

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NO. 05-1034

JULIO PEREZ,
Appellant
v.

FCI MCKEAN, WARDEN

On Appeal From the United States District Court
For the Western District of Pennsylvania
(D.C. Civ. No. 04-cv-00033E)
District Judge: Honorable Sean J. McLaughlin

Submitted For Possible Summary Action Under Third Circuit LAR 27.4 and I.O.P. 10.6
April 7, 2005
Before: ALITO, McKEE and AMBRO, Circuit Judges

JUDGMENT

This cause came on to be heard on the record from the United States District Court for the Western District of Pennsylvania and was submitted for possible dismissal under 28 U.S.C. §1915(e)(2)(b) or summary action under Third Circuit LAR 27.4 and I.O.P. 10.6. On consideration whereof, it is now here

ORDERED AND ADJUDGED by this court that the judgment of the district court entered December 23, 2004 be and the same is hereby affirmed. All of the above in accordance with the opinion of this Court.

ATTEST:

Marcia M. Waldron
Clerk

DATED: June 29, 2005

Certified as a true copy and issued in lieu
of a formal mandate on 11/17/05
Marcia M. Waldron
Teste:
Clerk, U.S. Court of Appeals for the Third Circuit